

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire
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Attorneys for Secured Creditor
CrossCountry Mortgage, LLC

In Re:

Recardo Rodriguez
Debtor
Elsa DeJesus
Co-Debtor



Order Filed on November 7, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 23-12894 ABA


Hearing Date: 10/24/2023 @ 10:00 a.m.

Judge: Andrew B. Altenburg Jr.

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: November 7, 2023



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

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Debtor: Recardo Rodriguez & Elsa DeJesus

Case No: 23-12894 ABA

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, CrossCountry Mortgage, LLC, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 323 North Burlington Street, Gloucester City, NJ, 08030, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Andrew Thomas Archer, Esquire, attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of October 18, 2023, Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due August 2023 through October 2023 for a total post-petition default of \$5,483.92 (3 @ \$1,828.23 less suspense \$0.77); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$5,483.92 shall be added to the affidavit of amount due and paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume November 1, 2023, directly to Secured Creditor's servicer (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtors' Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtors, and Debtors' counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$188.00 for filing fees, totaling \$538.00, which is to be paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved.

In re:
Recardo Rodriguez
Debtor

Case No. 23-12894-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: Nov 07, 2023

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 09, 2023:

Recip ID	Recipient Name and Address
db	+ Recardo Rodriguez, 323 North Burlington St, Gloucester City, NJ 08030-1008

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 09, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 7, 2023 at the address(es) listed below:

Name	Email Address
Andrew B Finberg	ecfmail@standingtrustee.com
Andrew B Finberg	on behalf of Trustee Andrew B Finberg ecfmail@standingtrustee.com
Andrew Thomas Archer	on behalf of Debtor Recardo Rodriguez aarcher@spillerarcherlaw.com bankruptcy@brennerlawoffice.com;mcdoherty_187750@ecf.courtdrive.com
Denise E. Carlon	on behalf of Creditor Crosscountry Mortgage LLC dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Denise E. Carlon	on behalf of Creditor CrossCountry Mortgage LLC dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Isabel C. Balboa	

District/off: 0312-1

User: admin

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Date Rcvd: Nov 07, 2023

Form ID: pdf903

Total Noticed: 1

on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7